

Docket No.: 22114-00001-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jerome Asius, et al

Application No.: 09/242,103

Group Art Unit: 3738

Filed: February 8, 1999

Examiner: Paul B. Prebilio

For: IMPLANT FOR SUBCUTANEOUS OR  
INTRADERMAL INJECTION - IMPLANT  
INJECTABLE PAR VOIE SOUS-CUTANEE  
OU INTRADERMIQUE

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**MAR 03 2003**

**TECHNOLOGY CENTER R3700**

**NOTICE OF APPEAL**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Patent Examiner dated October 30, 2002, finally rejecting claims 21-35 and 37-41 of the above-identified Patent application.

Please charge our Deposit Account No. 22-0185 in the amount of \$320.00 covering the fee set forth in 37 CFR 1.17(b).

Dated: 2-26-03

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

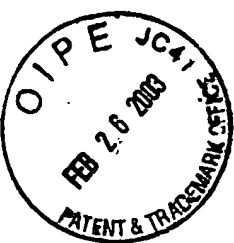
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PTO/SB/31 (02/01)

Approved for use through 10/31/2002. OMB 0651-0031

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (optional) 22114-00001-US	
In re Application of Jerome Asius, et al			
Application Number 09/242,103		Filed February 8, 1999	
For IMPLANT FOR SUBCUTANEOUS OR INTRADERMAL INJECTION - IMPLANT INJECTABLE PAR VOIE SOUS- CUTANEE OU INTRADERMIQUE			
Group Art Unit 3738		Examiner Paul B. Prebilic	
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>320.00</u>.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is: \$ _____.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>22-0185</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record.</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). <u>24,852</u></p> <p> Signature</p> <p><u>Burton A. Amernick</u> Typed or printed name</p> <p><u>February 26, 2003</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

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